



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** CEO  
**Department No.:** 012  
**For Agenda Of:** December 1, 2020  
**Placement:** Departmental  
**Estimated Tme:** 3 hours  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department      Mona Miyasato, County Executive Officer *M. Miyasato*  
Director(s)      Bernard Melekian, Assistant County Executive Officer  
                                 Maria Elena De Guevara, Human Resources Director

Contact Info:      Bernard Melekian, Assistant County Executive Officer

**SUBJECT:**      **Update on Criminal Justice System Changes and Advancing Racial Equity and Inclusion in Santa Barbara County**

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**County Counsel Concurrence**

As to form: NA

**Auditor-Controller Concurrence**

As to form: NA

**Other Concurrence:** Risk Management

As to form: NA

**Recommended Actions:**

- a) Receive a status report on efforts to reduce the jail inmate population and responses to Board direction of July 16, 2020;
- b) Direct staff to return at budget workshops with options for funding diversion efforts, improving data analysis and systems, and speeding discovery processes;
- c) Direct staff to provide data for an evaluation of racial disparities of the adult incarcerated population;
- d) Adopt a statement of commitment by the County to advance equity and inclusion;
- e) Receive a report by the Human Resources Director on an equity and inclusion framework ("J.O.I.N.") and approve funding for the initiative;
- f) Receive a report by Community Services Department (CSD) on actions to support community voices and engagement in partnership with other departments and organizations, and approve funding for the initiatives;
- g) Direct staff to return with a process for distribution of the remainder of the equity funds;
- h) Provide other direction as appropriate; and
- i) Determine that the action is exempt from the California Environmental Quality Act under CEQA Guidelines section 15378(b) (5) because the hearing is an administrative activity that will not result in a direct or indirect physical change to the environment.

**Summary Text:**

The tragic death of George Floyd in May 2020 has prompted not only worldwide and local expressions of anger and demands for greater justice, but also self-evaluation and reflection by individuals and institutions as to values, practices, systems and intended outcomes. For Santa Barbara County to fulfill our mission – to deliver exceptional services so all Santa Barbara County’s communities can enjoy a safe, healthy and prosperous life – means ourselves rethinking what progress in these areas mean and for whom. Our shared well-being in this county depends on and is enhanced by all having equal opportunity to reach their full potential. This means understanding, documenting and advancing principles of equity which requires commitment, collaboration, data and action.

In this context, the Board of Supervisors held a hearing on June 11 to receive input as to issues of racial equity and the criminal justice system, and directed staff to return with information on the local system of incarceration and ways to safely lower the jail inmate population. On July 16, staff returned with 13 recommendations developed by the criminal justice departments and Behavioral Wellness.

At the two previous Board hearings, members of the community voiced concern and requested changes in the criminal justice system. County government offices play significant roles along with local police departments and the courts, and all act within the framework of state and federal laws and fiscal realities. The effectiveness of this complex system where no single entity has overall control rests on its ability to cultivate and maintain public trust, which it must do through collaborative efforts and continued demonstration of just, transparent and fair treatment.

This report provides an update to the July 16, 2020 hearing and a status report on the Board’s requests. It also provides a broader context of how the County can start a systematic approach to advancing racial equity in and with the community, and within the County government organization and culture. The Board set aside \$500,000 in one-time funding six months ago at the June 2020 budget hearings. Since that time, requests have been brought forward for use of that funding, which are described in this report for recommendation. Since the funding was already appropriated, the Board can make allocations with a majority vote.

In summary, the following recommendations are made:

**Criminal Justice Systems Changes**

- a) Receive a status report on efforts to reduce the jail inmate population and responses to Board direction of July 16, 2020 (Attachment 1).
- b) Direct staff to return at budget workshops with options for funding diversion efforts, improving data analysis and systems, and speeding discovery processes.
- c) Direct staff to provide data for an evaluation of racial disparities of the adult incarcerated population.

**Advancing Racial Equity and Inclusion in the Community**

- d) Adopt a statement of commitment by the County.
- e) Receive a report by the Human Resources Director on an equity and inclusion framework “J.O.I.N.” and approve funding for the initiative (\$135,000) (Attachment 2).
- f) Receive a report by Community Services Department (CSD) on actions to support community voices and engagement in partnership with other departments and organizations, and approve funding for the initiatives (\$94,200). These include:

- *History: Understanding our local history and developing an inventory of landmarks (estimated cost of up to \$25,000).*
  - *Advice and Outreach for County plans: Creating an equity advisory and outreach committee to assist with guidance and participation on several CSD and Long-Range Planning upcoming plans (\$19,200).*
  - *Support for the arts: Supporting local communities of color through art by funding and incubating art programs and projects by emerging and historically underrepresented groups and artists (\$20,000).*
  - *Facilitated community conversations: Facilitating equity, inclusion and communication through Listen, Learn and Share discussions for i) the arts community (\$20,000) and ii) the broader community in conversations beyond the arts (\$10,000).*
- g) Direct staff to return with a process for distribution of the remainder of the equity funds (\$270,800).
- h) Provide other direction as appropriate.

## **Discussion**

### **Criminal Justice System Changes**

#### **a) Receive a status report on efforts to reduce the jail inmate population and responses to Board direction of July 16, 2020 (See Attachment 1)**

At the Board hearing on June 11, 2020, the Board directed the CEO's office to work with the criminal justice department directors and return with information on the ongoing efforts to reduce the County's Average Daily Population (ADP) as a response to the COVID-19 emergency. Staff reported that the ADP had been reduced by 37% since mid-March when the COVID emergency began. Updated numbers as of November 16, 2020 indicate that there are 651 inmates in the Sheriff's custody. However, 122 of those inmates are pending transfer to state prison, which reduces the net population to 529 inmates. This represents a 23.6% decrease since April 1, 2020 and a 38.5% decrease since November 2019. The Board also asked for information on the specific efforts that were in progress prior to the emergency and the feasibility of making the ADP reduction more permanent.

Staff returned to the Board on July 16, 2020 with an update to those efforts. Staff submitted 13 proposed action steps to assist in maintaining the lowered population. The Board endorsed those steps and requested periodic updates as to progress in this regard. Progress to date on the 13 action steps are provided in Attachment 1.

The Board also requested that staff provide the following information at a subsequent Board meeting, which is provided in Attachment 1:

- *Identify what resources would be required to expand the county's criminal justice data capacity and to speed up the discovery process.*

The criminal justice departments submitted requests totaling over \$4.1 million, of which \$3.3 million is for ongoing resource needs and \$810,000 for one-time requests. Staff is presenting these figures to the Board for informational purposes at this time. These requests were

considered in the County's fiscal issues report. During the budget workshops, these proposals will be prioritized and refined. Departments may also be asked to reprioritize their existing budgets to fund high priority items. Each of these departments focused their expansion requests on enhancing their digital storage capacity as well as increasing their ability to process discovery requests. In addition, three of the departments stated a need for data analysts. This is a recurrent theme among each of the departments and is reflected in the KPMG reports.

- *Attempt to obtain a waiver from the Board of State and Community Corrections (BSCC) to lower the minimum rated bed capacity in the Santa Barbara County Jail system.*  
At the Board's direction, staff began discussions with the Sheriff concerning making a formal request of the Board of State and Community Corrections (BSCC) to lower the rated bed capacity of the jail system. This requires a plan of which areas of the Main Jail will be permanently closed; discussions are ongoing with the Sheriff.
- *Identify performance measures from the criminal justice agencies focused on permanently reducing the ADP and/or diverting people away from the criminal justice system.*  
As part of this presentation, the departments were asked to present their performance measures in a thematic fashion with the understanding that they will need to develop specific benchmarks as part of the FY2021-22 budget. The suggested performance measures are focused on specific decision points within the criminal justice process where opportunities exist to divert the individual out of the criminal justice system. The goal is to help the Board understand how each of the criminal justice partners are approaching this issue. These are included in Attachment 1.

**b) Direct staff to return at budget workshops with options for funding diversion efforts, improving data analysis and systems, and speeding discovery processes.**

Departments have provided the CEO's office with initial funding requests to address their needs regarding data and discovery. These are being further evaluated to get more precise estimates and a better understanding of the collective system needs. Many of the one-time requests are paired with ongoing staff requests, and therefore, one cannot be addressed without addressing both. In total, the requests are for \$3.3 million in ongoing funding and \$810,000 in one-time requests. Since the equity fund is only one-time funding, these requests would be better addressed in the context of the annual budget planning process. During workshops, staff can provide options for funding these either with available funds or through redirection of existing resources, depending on Board direction.

**c) Direct criminal justice partners to provide data for an evaluation of potential racial disparities of the adult incarcerated population**

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) uses a method to measure the representation of youth of color in the juvenile justice system when compared to white youth. This method uses a "relative rate index" or RRI as a way to compare experiences of different groups within the justice system. This type of analysis highlights the relative rate index at each stage of the process by the decision-making entities. This analysis allows for a greater understanding of the data from one stage to another, and where disparities may be occurring so that strategies can be developed. Probation staff has utilized this method for a review of our system and presented its findings to the Juvenile Justice Coordinating Committee two months ago.

A similar analysis for the adult inmate population might serve to highlight racial disparities within the criminal justice system and the decision points that produce them. Probation staff is working on such an analysis. This work is significantly more complex than the analysis for juvenile justice system. Staff anticipates bringing their initial analysis to the CCP in February and to the Board in the spring as part of the 2021-22 realignment plan.

### **Advancing Equity and Inclusion in the Community**

#### **d) Adopt a statement of commitment by the County to advance equity and inclusion.**

According to the Annie E. Casey Foundation:

*Equity is defined as “the state, quality or ideal of being just, impartial and fair.” The concept of equity is synonymous with fairness and justice. It is helpful to think of equity as not simply a desired state of affairs or a lofty value. To be achieved and sustained, equity needs to be thought of as a structural and systemic concept.*

*Inclusion is the action or state of including or of being included within a group or structure. More than simply diversity and numerical representation, inclusion involves authentic and empowered participation and a true sense of belonging.*

Many government agencies have adopted or are discussing statements or proclamations that express a commitment to equity and opposition to racism and systems that perpetuate it. These values are largely part of our commitment to equal opportunity and effective outcomes for our residents, and many departments of the County are and have been engaged in work to address these issues. A formal statement of commitment, however, signals the importance of these principles to our community and workforce. In addition, more frequently, it is being requested by grant providers as a demonstration of the County’s commitment. Therefore, the Board may wish to adopt a countywide statement applicable to the community and our workplace. The following is proposed, which the Board may wish to adopt, defer, alter or seek further input on.

#### **Proposed Statement of Commitment to Equity and Inclusion in the Community and Workplace**

*The County of Santa Barbara is dedicated to cultivating and sustaining an environment that exhibits equity and inclusion everywhere, and at all levels of our organization. The County believes equity is a fundamental principle that must be imbedded in policies, institutional practices and systems. The County recognizes the negative impacts of systemic racism and is committed to eliminating the barriers affecting our Black, Latinx, Indigenous, and Asian community members, as well as people of other diverse racial and ethnic backgrounds.*

*We celebrate community and employee diversity, strive for inclusion and belonging, and promote empowered participation. We aspire to build a workforce that is reflective of these values and the communities we serve. We are proud to be an equal opportunity employer and will resolutely uphold federal, California state law and/or Santa Barbara County ordinances.*

*We believe equity and inclusion are vital to fulfill the County’s mission and to embody a culture of “One County, One Future.”*

**Systems Change – Normalize, Organize and Operationalize.** To advance any type of sustained change, organizations must do the following:

- “Normalize” the concepts by developing shared definitions and common understanding, spreading awareness and developing the case of why it is urgent or a priority.
- “Organize” its internal structures and develop partnerships to put the concepts into practice and operations.
- “Operationalize” means to put the concepts into operation by using tools, analysis and data for assessment and strategies for changes.

The actions and recommendations discussed in this report are all part of this process for systemic change to advance more equitable outcomes in County services. They are in addition to many programs and initiatives already in progress by County departments.

**e) Receive a report on an equity and inclusion framework for the County government organization - “J.O.I.N.” - and approve funding (\$135,000) for the initiative - *See Attachment 2.***

The race, equity and inclusion framework – J.O.I.N - has been developed to affirm the County’s ongoing efforts to establishing race, equity and inclusion as top organizational priorities. Attachment 2 provides an overview of the framework and its phases.

The framework identifies four phases over a period of time that focus on the following:

- Phase I-**Join Hands**: County leaders establish a stakeholder group to inquire about the current reality in the organization regarding race, equity, & inclusion through survey, guided discussions, team learning, and training.
- Phase II-**Open Hearts & Minds**: Envision future state and determine ways to create alignment with COSB mission, vision, and values. Assess existing policies, programs, and practices to determine alignment with new state of race, equity & inclusion in the County.
- Phase III-**Ignite Action**: Innovate and implement shared solutions and deploy tools required to advance, track, and measure race, equity & inclusion progress.
- Phase IV-**Navigate Change**: Implement communication and accountability strategy to continue to inspire and increase County-wide visibility and collective commitment to the new path forward.

This framework is needed for a consistent, countywide approach that is aligned with our mission; helps with compliance as we see an increase in requests and requirements for a demonstration of the county’s commitment to equity principles; addresses the changing customer demographics we face and shifting socio-culture dynamics outside the workplace; and will assist us as we prepare for the future workforce, where according to a Deloitte survey in 2018, 47% of millennials actively look for diversity and inclusion when picking potential employers.

In support of the framework, the County will add “*inclusion*” to our existing list of core employee values (*innovation; accountability & professionalism; customer focus & quality public service; trust & ethics*) which were created with input from employees and presented to the Board in 2017 as part of the organizational strategic plan, which has since evolved into Renew 22.

The phases of J.O.I.N are expected to be completed by 2022 and the total cost is approximately \$135,000 for the two-year period. Funds are requested from the equity fund set-aside.

**f) Receive a report from Community Services Department (CSD) on actions to support community voices and engagement in partnership with other departments and organizations, and fund the initiatives (\$94,200).**

At the July 16 hearing, the Board requested certain actions be evaluated for funding, including arts. Since that time, other projects were brought forward for consideration to advance community engagement and provide funding support to historically underrepresented groups. These proposals are one-time initiatives.

- i. ***History: Understanding our local history and developing an inventory of landmarks.*** CSD is proposing to develop an inventory of historic monuments, markers and plaques on County-owned properties. This would entail working with students and faculties from local colleges and universities to catalogue historic monuments, plaques and markers on County-owned properties. CSD staff would work with the Assessor Division and General Services Department. The outcome would be an index of County markers with input from future generations and academic experts and to define the scope of markers to address, as well as learn about the history and context for each marker. The projected cost would be \$10,000 for two paid internships. This inventory could be connected with the development of a future, broader countywide cultural asset map that could be created in cooperation with our local communities. Further funding may be needed to assist with this asset map or related projects, which are still being evaluated. In total, this could require up to \$25,000.
- ii. ***Advice and Outreach for County plans: Equity Advisory and Outreach Committee.*** This committee would assist with the Safety Element in Long Range Planning, 2030 Climate Action Plan and Active Transportation Plans to provide increased awareness of climate change impacts to ensure equitable outcomes and benefits. In addition, many State agencies are requiring outreach to historically underrepresented groups who have experienced disproportionate impacts. This committee would serve as community ambassadors, encouraging community participation, providing guidance, expertise, input and feedback on various planning efforts.

The committee would meet bi-monthly for 2 hours for approximately 2 years (from development to adoption). Stipends are proposed to initiate and sustain participation from organizations that represent under-resourced communities, whose voices otherwise might not have been heard through traditional planning engagement activities. The cost would be \$19,200 to provide stipends for two years (\$1,200 per year for two years for up to eight individuals from eligible community-based organizations). CSD staff would implement an application process for participants to submit a statement of need in order to receive a stipend.

- iii. ***Support Local Communities of Color Through Art: Uplift Cultural Expression and Diversity.*** This would provide funding, resources and support for emerging and grassroots BIPOC (Black, Indigenous and People of Color) artists and coalitions' arts and culture programs and projects. BIPOC coalitions identified this as their highest priority for allocation of arts funding support. It would fund and incubate arts projects and programs by emerging and historically underrepresented BIPOC groups and artists. The goal would be to share information about existing platforms, resources and tools at county, state and national levels; provide corresponding technical support and instruction as desired; and determine ways that the County can serve as a partner in addition to funding provisions by leveraging resources.

Outcomes would be to supply cultural communities with the resources they need to realize immediate and tangible projects and artistic expression, such as public art production and cultural

celebrations like Juneteenth; increase diversity, representation and inclusion throughout the Arts and Culture Sector; and create more equitable opportunities for restorative artistic practice countywide. Funding requested is \$20,000 to be disbursed directly to BIPOC artists as micro-commissions through a proposal process to be informed by countywide BIPOC coalitions and the Arts Commission. Two \$5,000 honoraria and ten \$1,000 honoraria would be awarded as part of the County's commitment to promote diversity, equity, and representation through arts and culture. The Office of Arts and Culture can offer in-kind staff support through State-Local partner administrative funding.

**iv. *Facilitate Equity, Inclusion and Communication at the County Level: Listen, Learn and Share***

The goal of this proposal would be to develop greater cross-cultural understanding, support, and respectful communication practices by listening to and learning from Black, Indigenous, and other Communities of Color within the County. It would compensate countywide BIPOC coalitions and collectives for the work, time, and expertise to share their vision, goals, preferences, challenges and boundaries for respectful engagement. In the process it would build ongoing, bidirectional relationships and communication pathways to better understand cultural communities' wishes for cultural expression and determine ways the County might provide corresponding resources to the communities.

The initiative would establish lines of communication where participants are able to feel safe and welcome; set expectations that can be translated into other forums; and create clearly-defined and accessible channels for countywide agencies and institutions to respectfully learn about and engage with local BIPOC communities. It would further identify the education and support needed to begin to address issues and understand the complexities of cultural histories and presents and enable County staff to remain apprised of evolving and pluralistic sensitivities. Lastly, it would help the Arts Commission foster and promote equity through inclusive funding, policy, and art production practices.

This proposal requires \$30,000. For the Arts proposal, \$20,000 would be disbursed directly to twenty BIPOC organizations for their work and collective expertise to develop framework for dialogue and education. In addition, \$10,000 would be used for assistance in holding broader community conversations beyond the arts community.

CSD Staff and the Arts and Culture Office will provide staff facilitation, and would work with the County's contracted diversity, equity and inclusion consulting firm or other resource to help establish these processes.

**g) *Direct staff to return with a process for distribution of the remainder of the equity fund (\$280,800)***

At the July 16 hearing, the Board asked that staff obtain resource requests from criminal justice departments. Requests total over \$4.1 million, with over \$3.3 million in ongoing requests, and are better evaluated in the context of next year's budget development. The Board can direct staff to address these as high priority items when discussing budget priorities on December 8 or any time prior to and including at budget workshops. For that reason, they were not considered from the one-time equity fund.

Assuming all recommended actions above are funded, there would be remaining funds of approximately \$270,800 in the equity fund. Staff is requesting that the remainder of these funds be distributed through



a request for proposal process administered through the Community Services Department for community projects that advance equity. Proposers could be individuals, organizations or County departments. One option could be enlisting the Human Services Commission to review the proposals, in collaboration with the Arts Commission or other groups.

Some portion of funding, however, should be set aside to address projects or ideas that surface as a result of the listen and learn discussions. Community Services staff would return this spring with specifics on a process.

### **Conclusion**

This item today is part of how we “Re-vision” the county, and does not end with this report. Community input and ideas will stimulate additional actions and direction on how the County addresses issues of race, equity and inclusion.

The Board may wish to direct further actions as appropriate.

### **Background**

On June 11, 2020, Supervisor William and Chair Hart sponsored a hearing to provide an opportunity for input on racial equity and criminal justice issues in the wake of the tragic death of George Floyd. Many speakers and written comments requested changes to law enforcement practices, more diversion programs and support for cultural events like Juneteenth. The Board directed staff to collaborate with justice partners and return to the Board with a report on what is being done now to reduce the jail population, data, and what progress is occurring to keep the numbers permanently low.

One July 16, 2020, staff provided a report on efforts to reduce the County’s Average Daily Population (ADP) as a response to the COVID-19 emergency and 13 recommendations to continue those efforts. The report also provided information on efforts to further racial equity within the County organizational culture. The Board directed staff to support efforts to expand misdemeanor diversion opportunities and to create a new felony diversion program; work with the criminal justice agencies to develop performance measures for future budget planning related to reducing the jail population and diversion; to seek legislative or other relief from the California Board of State and Community Corrections (BSCC) regarding the AB900 bed mandate; and return to the Board with metrics and any resource requests needed to obtain data and improve the speed of the discovery process; and if possible, additional funds for the arts.

### **Fiscal and Facilities Impacts:**

The Board appropriated \$500,000 in one-time funding to an equity set-aside fund in the General Fund at the June 2020 Budget hearings. Allocation of that funding will not have a financial impact, as the funding was appropriated in the current year’s budget.

Expansion requests will be considered as part of budget development and deliberations so they may be considered within the context of other fiscal issues. Some of the programs and actions will require additional funding or redirection of resources; other diversion from jail efforts could produce longer-term savings.

The Board's objective to safely reduce the jail population should generate savings, although there are fixed costs that will not be able to be eliminated. The Custody Operations Budget is \$73.2 million in the current year, which includes the Main Jail and new Northern Branch Jail operating costs. In 2015, a jail staffing and operations analysis by CGL consultants calculated a jail bed per day cost of \$169. Reducing the average length of stay and/or the total average daily population would reduce or avoid costs; however, some costs are fixed (not variable) and would remain. KPMG is currently reviewing the Sheriff's office operations and will provide greater analysis in its report.

**Attachments:**

Attachment 1: Status report on efforts to reduce the jail inmate population and responses to Board direction of July 16, 2020

Attachment 2: J.O.I.N. Framework

**Authored by:**

Mona Miyasato, County Executive Officer  
Bernard Melekian, Assistant County Executive Officer  
Maria Elena De Guevara, Human Resources Director  
George Chapjian, Community Services Director

**ATTACHMENT 1**

**Status report on efforts to reduce the jail inmate population and responses to Board direction of July 16, 2020**

At the Board hearing on June 11, 2020, the Board directed the CEO’s office to work with the criminal justice department directors and return with information on the ongoing efforts to reduce the County’s Average Daily Population (ADP) as a response to the COVID-19 emergency. Staff reported that the ADP had been reduced by 37% since mid-March when the COVID emergency began. The Board also asked for information on the specific efforts that were in progress prior to the emergency and the feasibility of making the ADP reduction more permanent.

Staff returned to the Board on July 16, 2020 with an update to those efforts. Staff submitted 13 proposed action steps to assist in maintaining the lowered population. The Board endorsed those steps and requested periodic updates as to progress in this regard.

The Board also requested that staff provide the following information at a subsequent Board meeting:

- Identify what resources would be required to expand the county’s criminal justice data capacity and to speed up the discovery process.
- Attempt to obtain a waiver from the Board of State and Community Corrections (BSCC) to lower the minimum rated bed capacity in the Santa Barbara County Jail system
- Identify performance measures from the criminal justice agencies focused on permanently reducing the ADP and/or diverting people away from the criminal justice system

**Lowering the County Jail Average Daily Population**

Because of the COVID-19 Pandemic, the criminal justice departments (Sheriff, District Attorney, Probation and the Public Defender) initiated a number of response protocols to mitigate the impact of the virus. One of the most significant results of these responses was the lowering of the Average Daily Population (ADP) by close to 37%. This figure has held constant since the beginning of April. The number has continued to decline since the beginning of the pandemic. The ADP as of November 16 reflects an additional 4.7% decline since April 6<sup>th</sup> of this year. The most recent daily snapshot number (651) overstates the situation, since 122 of those inmates are pending transportation to state prison. The state is currently only accepting a limited number of inmates due to COVID outbreaks. Once those inmates are transferred, the in-custody population would only be 529. That would represent an additional decline of 23.6% in the ADP since April of this year and a 38.5% decrease since November 2019.

Metric/Date	November 16, 2020	April 6, 2020	April 1, 2019
ADP (In-custody)	651 /529 (after state transport)	692	932
Alternative Sentencing Bureau (ASB) – includes Electronic Monitoring and the Sheriff’s Work Program	39 (0/39)	59 (10/49)	84 (5/79)
Awaiting State Transport	122	NA	N/A

At the Board's direction, staff began discussions with the Sheriff concerning making a formal request of the Board of State and Community Corrections (BSCC) to lower the rated bed capacity of the jail system. This requires a plan of which areas of the Main Jail will be permanently closed; discussions with the Sheriff are ongoing.

### **Update on Recommended Actions**

On July 16, the Board approved the 15 recommendations submitted by staff and asked that staff provide periodic updates. The status of each item is as follows:

1. Continue the virtual court hearings and arraignments. Expand telephonic and video access to clients who are in custody by all criminal justice stakeholders. (Sheriff/General Services) *This item is well underway and has been since the beginning of the pandemic. However, General Services is working with the Sheriff's Custody Branch to make the infrastructure changes more permanent and sustainable.*
2. Continue and enhance the program of collaborative jail discharging (Probation/Public Defender): *The Re-entry Steering Committee (RSC) is conducting a gap analysis and planning a virtual resource fair. The Discharge Planning Team is also meeting to evaluate their processes and identify areas for improvement and attempt to realign them with the current COVID environment.*
3. Expand the use of pre-trial supervision, absent community safety concerns: (Probation) *The pre-trial program was expanded in the 2020-21 fiscal year as a consequence of transferring responsibility for that program from the Courts to Probation. As discussed in the November 17, 2020 report to the Board, there is a potential funding gap of \$1.4 million currently in the program. This will require additional staffing resources and is a fiscal issue being evaluated by staff.*
4. Create a bail-modification working group to make recommendations concerning the modifications of the bail-schedule based on the COVID response experience with a goal of making bail less restrictive: *No action will be taken by County staff as control of the bail schedule rests solely with the court. The defeat of Proposition 25 means that existing structure is maintained, absent further State or legal action.*
5. Through a countywide law enforcement committee, continue the use of the citations in lieu of physical arrest when appropriate. Conduct a review of the 1700 pending citations to make recommendations as to which sections are appropriate to continue issuing citations. *The District Attorney and the Court are working their way through these citations. This number has increased significantly since it was first reported in June. The District Attorney identified 2480 pending citation cases for the period between March 1 – July 15, 2020. The DA's office has disposed of 49% of those matters using our discretion to reject, divert, infract, or dismiss.*
6. Make greater use of electronic monitoring and other alternative sentencing options (Sheriff/Probation): *action on this item is still under review. The Sheriff's office will make this a performance measure in the next budget cycle.*
7. Continue implementation of the KPMG recommendations as appropriate. *Only the Public Defender report has been completed and presented to the Board. The other criminal justice partners are due to come before the Board in late January or early February.*

8. Strengthen the capacity of the Criminal Justice Data Committee (CJDC) with the addition of dedicated staff to ensure the involvement of all Criminal Justice partners including Behavioral Wellness; *The position to lead this effort has been funded since FY2017-18 through the Community Corrections Partnership funding, but filling the position has proven to be challenging. There are ongoing discussions as to alternatives, such as using a temporary agency.*
9. Expand the capacity for electronically signing court documents: *Probation is currently using electronic signatures. Outreach to the court on this subject is underway.*
10. Develop an MOU between the criminal justice partners to create and operate an electronic cloud-based discovery receptacle: *This is being evaluated. Staff of the Information & Communications Technology (ICT) division will be invited to join the CJDC in order to address some security concerns related to cloud-based databases.*
11. Develop a strategic action plan for Stepping Up with clearly defined objectives: *This item is underway under the Sheriff's direction*
12. Make a presentation to the Board of Supervisors on the action plan developed in collaboration with the Center for Court Innovation, with a timeline for implementation: *This will occur in late January or early February.*
13. Consider directing a review of criminal records relative to possession of cannabis with strong consideration to expunging such records where appropriate: *This project is in progress under the direction of the District Attorney.*

All of these recommendations require ongoing collaboration among the Criminal Justice Partners. There are several committees and workgroups that require the partners to meet regularly. These recommendations will become part of the ongoing agenda. These groups include:

- Community Corrections Partnership (workgroup)
- Criminal Justice Data Committee
- Criminal Justice Planning Group (Oversees the Center for Court Innovation action plan)
- Stepping Up
- Grant Oversight Committee

#### **A. Performance Measures and Resource Requests**

In response to the Board's direction on July 16, the criminal justice departments were asked to submit the following:

1. Two or three performance measures that were related to 1) reducing the average daily population of the jail (ADP).
2. A list of resource requests to enhance the department's capacity to retrieve meaningful data and/or to facilitate electronic discovery.

For the last two years, the four criminal justice departments (District Attorney, Probation, Public Defender and the Sheriff) together with the Court and Behavioral Wellness have formed the Criminal

Justice Planning Group. The Criminal Justice Planning Group focuses on evaluating all aspects of the county's criminal justice system with the goal of identifying needed improvements. All of the departments are active participants in a number of grants awarded to the county related to diversion and/or providing alternatives to arrest.

As part of this presentation, the departments were asked to present their performance measures in a thematic fashion with the understanding that they will need to develop specific benchmarks as part of the FY2021-22 budget. The suggested performance measures are focused on specific decision points within the criminal justice process where opportunities exist to divert the individual out of the criminal justice system. The goal is to help the Board understand how each of the criminal justice partners are approaching this issue

With respect to the resource requests, staff presents these figures to the Board for informational purposes. During the budget workshop, these proposals will be prioritized and refined. Each of these departments focused their expansion requests on enhancing their digital storage capacity as well as increasing their ability to process discovery requests. In addition, three of the departments stated a need for data analysts. This is a recurrent theme among each of the departments and is reflected in the KPMG reports. Information is provided in the chart following the summary below.

### **District Attorney**

The District Attorney's Office focused their performance measures on diverting cases out of the court system and into programming. They are also seeking to reduce the number of cases that need to go through the court process as well as purging bench warrants from the system. Like the Public Defender, they are seeking alternatives which allow their lawyers, in cooperation with the Public Defender and with the approval of the court, to find alternatives to trial that allow for treatment, informal supervision or other programs designed to help people recognize a broader range of alternative actions.

The District Attorney's resource requests centered on speeding up the discovery process, improving their data analytics and upgrading their digital storage capacity. Their proposed programs will require three additional FTEs, \$200,000 in one-time costs and \$393,400 in on-going costs.

### **Probation**

The Probation Department will propose performance measures focused using flash incarceration (a brief 5-10 sentence) in lieu of charging individuals with technical violations that would normally require a return to custody to complete their remaining sentence. They also intend to enhance their pre-trial assessment capacity with the goal of monitoring more individuals that are pre-trial. This will ensure that more people are able to remain in the community (and out of custody) while they await trial.

The Probation Department's resource requests are in alignment with their proposed performance measures related to pretrial assessment and supervision. To support their program, they are requesting two additional FTEs, \$380,950 in one-time costs and just over \$1,081,000 in on-going costs.

### **Public Defender**

The Public Defender has proposed three performance measures. Two of them are focused on diverting people out of the criminal justice system and the third on improving the discovery process.

The Public Defender's resource requests center on improving the discovery process as well as enhancing capacity to settle cases at arraignment. They are requesting five FTEs, \$200,000 in one-time costs and \$670,000 in on-going expenses. They are also requesting three FTEs, \$250,000 in on-going costs and \$30,000 for Extra-Help in one-time costs.

**Sheriff**

The Sheriff's office proposed performance measures center on sustaining the co-response teams beyond the life of the current grants. They are also seeking to increase the number of inmates on electronic monitoring (i.e. out of custody) as well as increase the number of programs available to those inmates who are in custody.

The Sheriff's resource requests are in alignment with their proposed performance measures. They have requested at least four FTEs and \$863,345 in on-going costs. There may be some additional staffing costs associated with enhancing the capacity of the Alternative Sentencing Bureau (ASB) to double the numbers of inmates on electronic monitoring.

**Criminal Justice Department Proposed Performance Measures and Funding Requests**

Dept	Preliminary Performance Measure	Funding Expansion Request (\$3.3 M ongoing; \$810K one-time)
District Attorney	<ul style="list-style-type: none"> <li>Percentage of cases referred to a diversion program that successfully completed the program.</li> <li>Percentage of misdemeanor cases that are presented but not filed, or reduced to infractions.</li> <li>Number of bench warrants recalled or purged per year</li> </ul>	<ul style="list-style-type: none"> <li>Digital Storage Upgrade - \$200,000 one-time / \$40,000 ongoing</li> <li>1 FTE Data Analyst \$130,000 ongoing</li> <li>2 FTE Lead Discovery Clerks - \$223,400 ongoing</li> </ul>
Probation	<ul style="list-style-type: none"> <li>Establish a protocol for implementing 1203.35 PC (flash-incarceration) and obtain waivers on 25% of identified clients</li> <li>Facilitate judicial reviews on 100% of eligible defendants for pre-arraignment release consideration</li> </ul>	<ul style="list-style-type: none"> <li>Expand/sustain pre-trial assessment staff beyond the life of the current grant (expires December 2021). To continue until June 30, 2022 will require \$380, 950. The on-going annualized cost after that date will be \$779,000</li> <li>The expansion of Pretrial supervision will require 2 additional FTEs which will cost \$302,800 (on-going)</li> </ul>
Public Defender	<ul style="list-style-type: none"> <li>Percentage of cases that settle at arraignment</li> <li>Percentage of new cases countywide (felony &amp; misdemeanor) that receive the discovery the day before arraignments</li> <li>The of number of in-custody clients referred for services</li> </ul>	<ul style="list-style-type: none"> <li>Digital Storage Expansion/Cloud - \$200,000 one-time / \$45,000 ongoing</li> <li>3 FTE LOP's to Process Discovery/Arraignments - \$225,000 ongoing</li> <li>2 FTE DPD-Arraignments Santa Maria and Santa Barbara-\$400,000 on going Expansion Requests – immediate</li> <li>1 Extra-Help System Admin - \$30,000 one-time</li> <li>1 FTE Data Analyst – \$130,000 ongoing</li> <li>1 FTE Holistic Defense Advocate – \$120,000 on going</li> </ul>
Sheriff	<ul style="list-style-type: none"> <li>Expand Co-response capacity to handle 50% of all mental health calls received through Sheriff's dispatch</li> <li>Ensure that 30% of law enforcement deputies and 85% of Custody Deputies have attended an advanced CIT course</li> <li>Add one new inmate program each year for the next four years</li> <li>Maintain the ADP of inmates on electronic monitoring at 85% of capacity (current capacity is 100 inmates)</li> </ul>	<ul style="list-style-type: none"> <li>3 Dep II's to continue co-response beyond the life of the grant (expires in Fall 2022) - \$574,488</li> <li>Sheriff's In-Custody education programs (1 per year)             <ul style="list-style-type: none"> <li><i>Finding Your True North (Harvard Business School): \$108,250</i></li> <li><i>Success Stories (pilot): \$10,600</i></li> </ul> </li> <li>Expand staffing for the Alternative Sentencing Bureau to increase monitoring capacity from 100 to 200 inmates</li> <li>Add \$25,000 per year to the Overtime budget to cover backfill overtime necessary to conduct the CIT training</li> <li>Add a Data Analyst to the Sheriff's staff at a cost of \$145,607</li> </ul>



## ATTACHMENT 2 J.O.I.N Framework

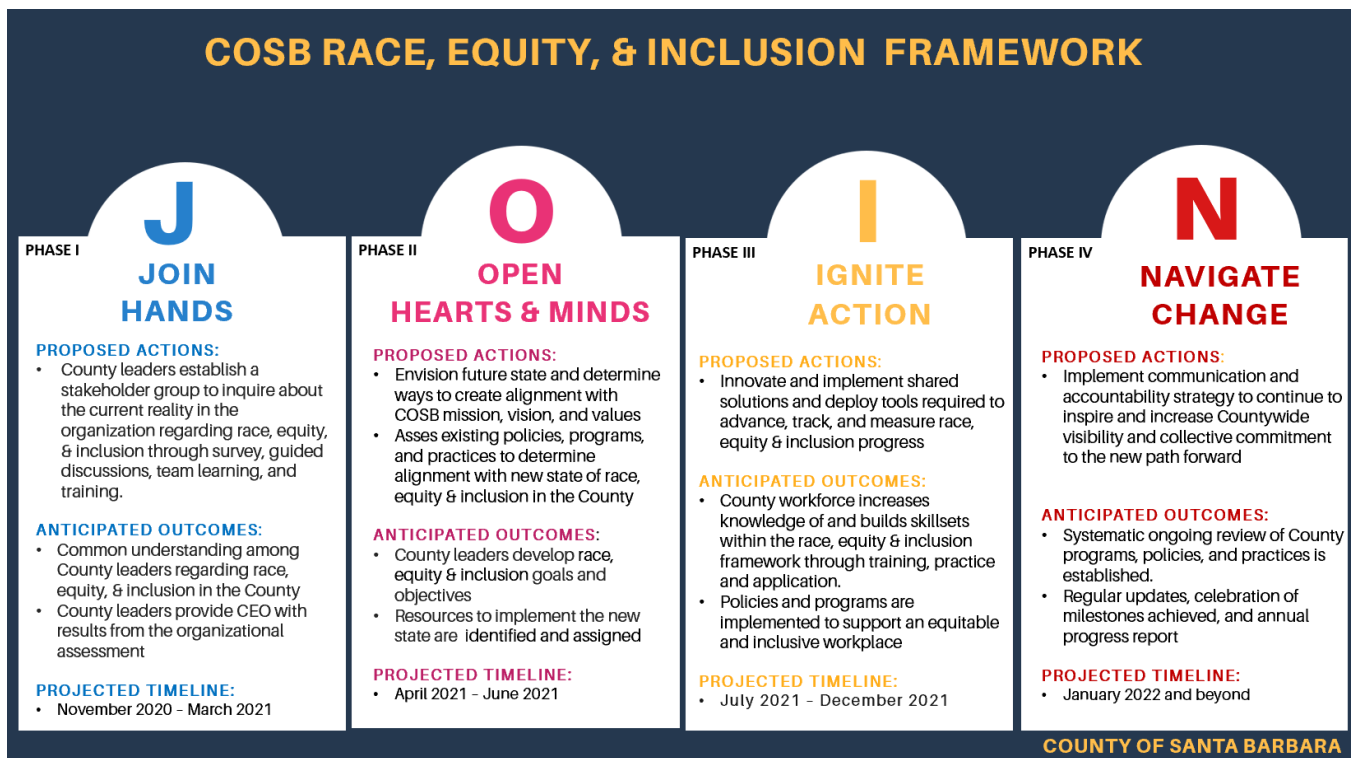
### Race, equity and inclusion strategy for the County Organization

The killing of George Floyd in May 2020 challenged the County to consider structural and racial inequities in the organization. In response to this challenge and with a spirit of continuous improvement the County now embarks on the journey of improving, repairing, and making its organizational systems more equitable, inclusive and more likely to achieve Renew '22 objectives such as effectively responding to our diverse community members and attracting and retaining the best and brightest staff.

The race, equity and inclusion framework has been developed to affirm the County’s ongoing efforts to establishing race, equity and inclusion as top organizational priorities. The framework provides the County with an immediate response and allows for inclusion and participation from all County departments to more specifically identify the longer-term plan.

### The Framework

The race, equity and inclusion framework will help leaders understand the current organizational state and guide a successful renewal process. The framework identifies four phases over a period of time that focus on the following:



- Phase I-Join Hands: County leaders establish a stakeholder group to inquire about the current reality in the organization regarding race, equity, & inclusion through survey, guided discussions, team learning, and training.

- Phase II-Open Hearts & Minds: Envision future state and determine ways to create alignment with COSB mission, vision, and values. Assess existing policies, programs, and practices to determine alignment with new state of race, equity & inclusion in the County.
- Phase III-Ignite Action: Innovate and implement shared solutions and deploy tools required to advance, track, and measure race, equity & inclusion progress.
- Phase IV-Navigate Change: Implement communication and accountability strategy to continue to inspire and increase County-wide visibility and collective commitment to the new path forward.

The J.O.I.N. framework requires a shared commitment from all levels of the organization. Stakeholder participation, particularly County leadership, is an important focus of the framework. County leadership will be offered education, resources and support to ensure race, equity and inclusion concepts are integrated into departmental operations.

Phase I objectives have been identified as desired outcomes over the next several months. These objectives are: 1) Foster trust and accountability among organizational leaders, 2) Assess current organizational status in regards to race, equity, and inclusion, 3) Increase leadership understanding of current organizational state, 4) Establish a consistent race, equity, and inclusion methodology across the County.

## **The Business Case**

### Alignment

To fulfill the County's vision of "One County, One Future" and mission to "deliver exceptional public services so *all* in Santa Barbara can enjoy a safe, healthy and prosperous life," a need for a more consistent and integrated approach to addressing race and equity issues has been identified. Additionally, these concepts are key components that easily align with the Renew transformative initiative already underway. A McKinsey investigative report (2020) along with numerous other researches conclude that equity and inclusion efforts are positively correlated to effective, responsive and innovative organizations. A commitment to a work environment that respects and honors the uniqueness of each individual employee and customer is a commitment to advancing the County's vision, mission and identified outcomes of Renew '22.

### Compliance

The County has and will continue to comply with Equal Employment Opportunity requirements. However, the County has seen an increase in requests and requirements from various grant providers for demonstration of the County's commitment to equity and inclusion principles through formal Employment Equity statements or planned outreach and engagement to specific community populations. Preparing the organization to respond to the evolving needs of funding sources and other business partners has becoming increasingly more important.

### Changing Customer Demographics

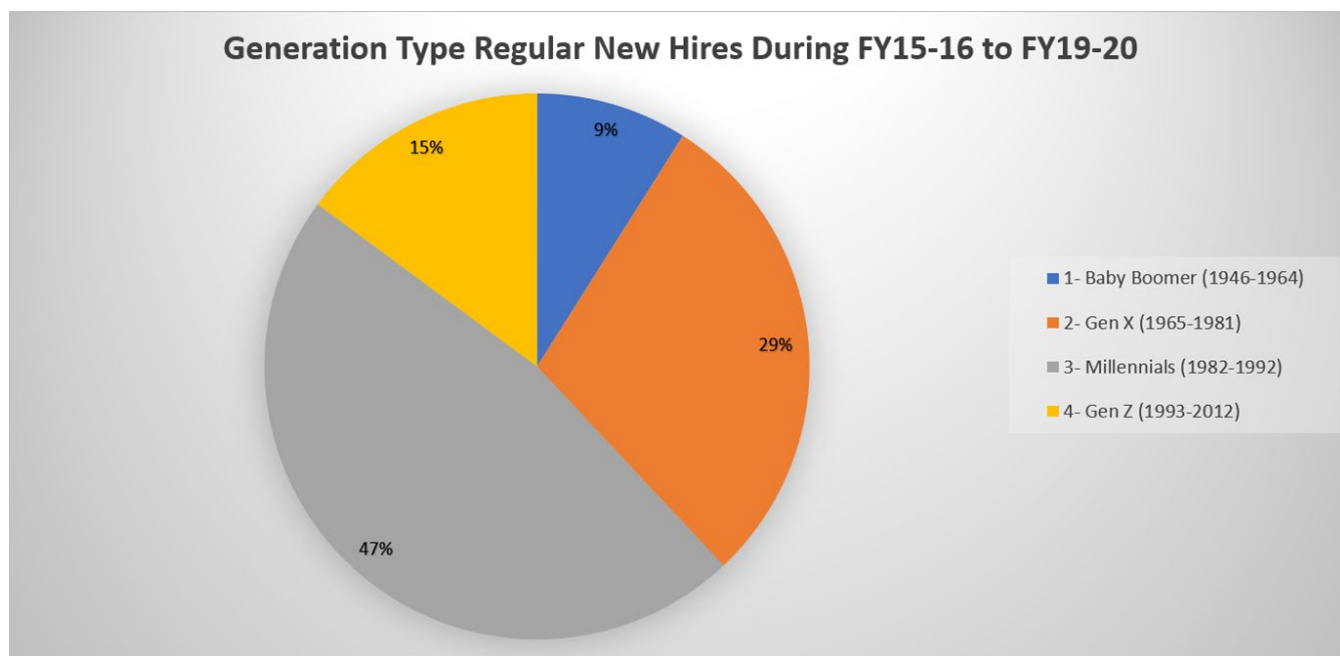
The County of Santa Barbara organization is a microcosm of the macro social-cultural dynamics occurring outside the workplace. Shifts in society create equal shifts within the workplace. Awareness of these shifts help the County better serve our diverse customers and their needs. Results of the 2020 Census are not currently available, however, Table 1 shows data from the 2010 census already shows the micro shifts occurring in the community.

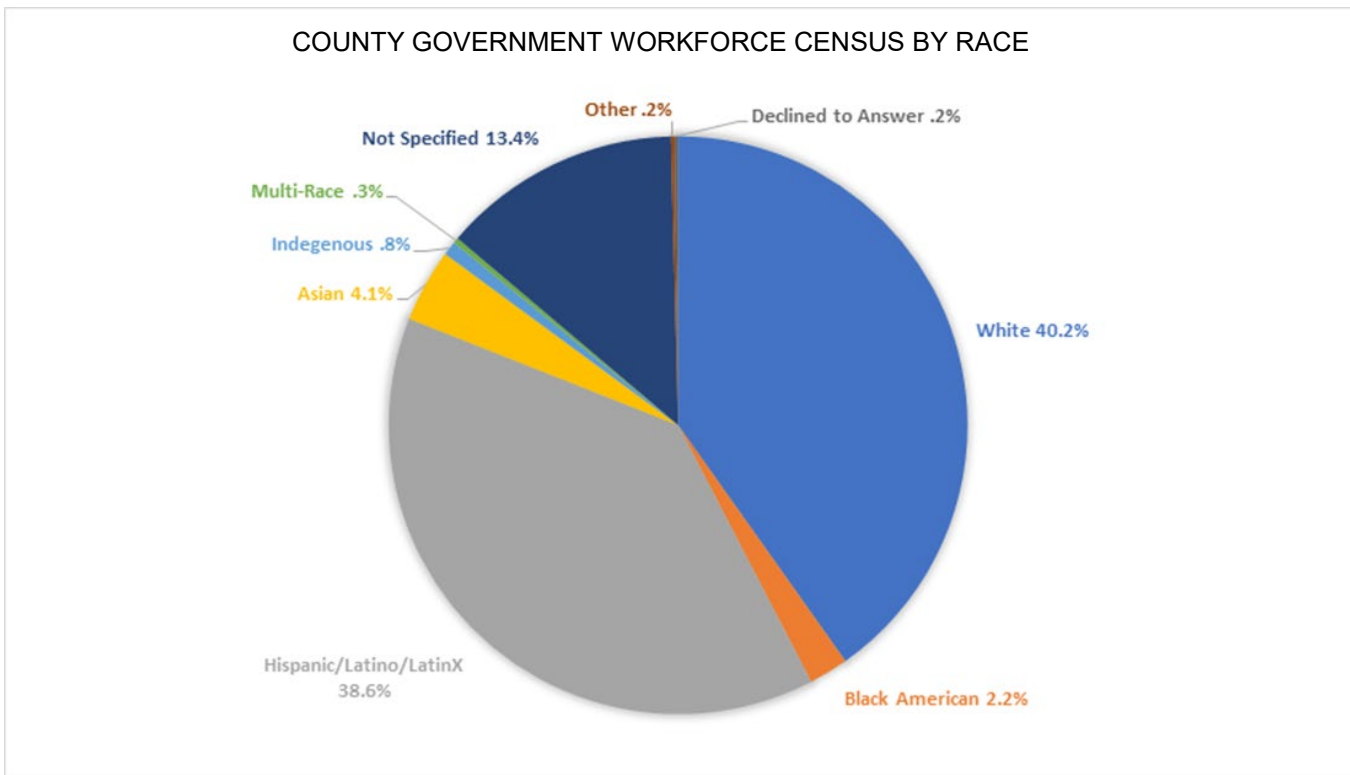
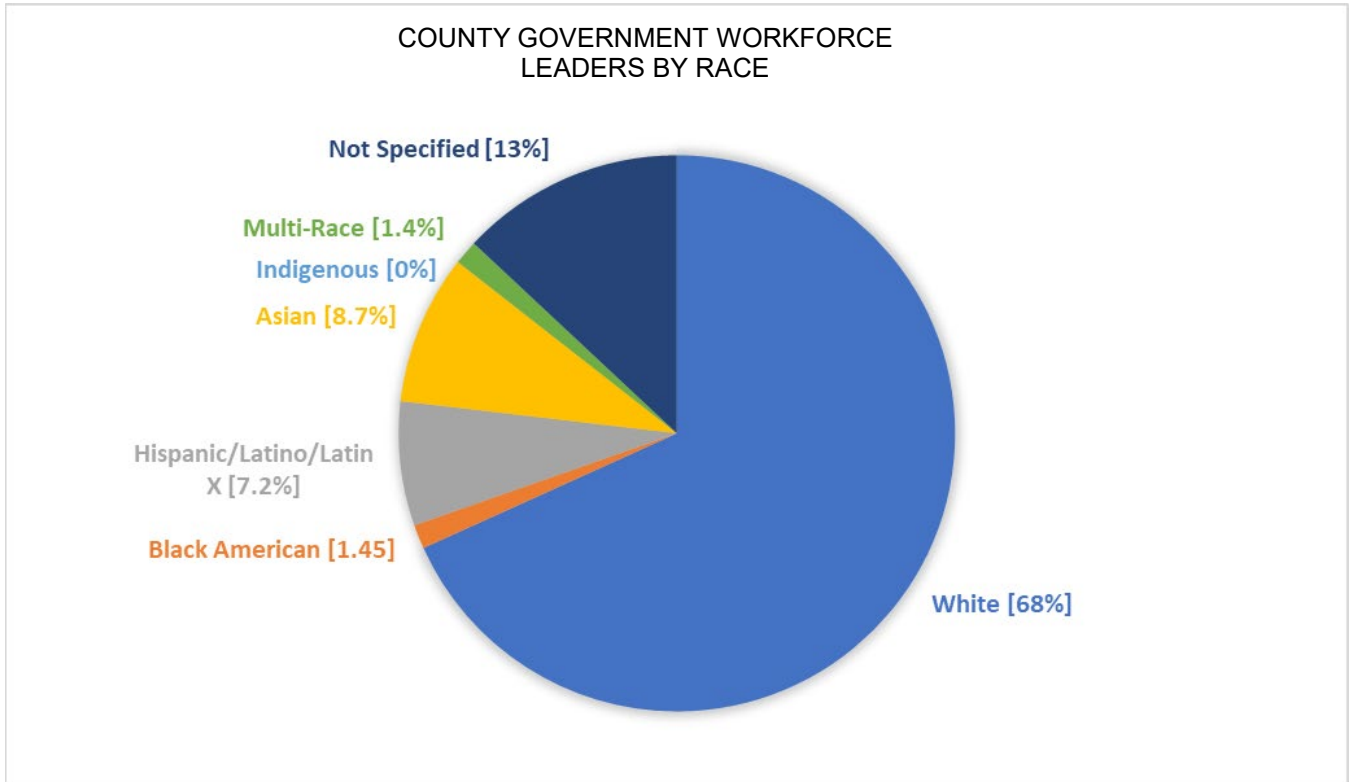
Table 1. 2010 US Census Bureau- County of Santa Barbara Population

Identity Group	% of Population
Female	50%
Language other than English in the home	39.7%
Foreign-born	22.9%
Hispanic/Latino/Latinx	46%
White	43.8%
Asian	6.0%
Black	2.4%
Native American	2.1%
Pacific Islander	0.3%
Veteran	21,908 total count in population

Workforce Demographics & Expectations

A five-year review of County new hires and existing Leadership Racial Breakdown (see charts below) provides the base from which our future workforce will grow and where our current focus needs to be. As the County continues to attract, hire and sustain a millennial workforce, it is important to acknowledge the impact equity and inclusion has on this cohort. [A 2018 Deloitte Millennial survey](#) confirms that 47% of millennials actively look for diversity and inclusion when sizing up potential employers. Ensuring an equitable and inclusive organizational culture becomes a high priority if we are to build a robust pipeline for current and future County vacancies.





**Strategy: Phase I**

The County understands the goal of equitable and inclusive policies, programs and work environment is not a one-time event. It is a commitment to roll up our collective sleeves and continually assess, learn, revise and re-design our structures and systems to make them effective in responding to the ever-changing needs of both community members and employees. To make the critical decisions about the organization's future regarding race, equity and inclusion, the County has designed an agile and adaptable strategy that allows us to learn along the way. The process is not rigid nor fixed. We will maintain a curiosity about our work and adjust as needed. Here is how we will proceed over the next few months:

1. **Organizational Assessment:** This is a preliminary process of taking stock. We will assess the organization to determine our strengths and areas of opportunity.
2. **Leadership Learning Labs:** Leaders drive success. They set goals and monitor results, define vision and strategy, design the infrastructure of the organization, develop people and build culture. Affording leaders the opportunity to co-explore and experiment with race, equity and inclusion concepts will build the required trust and common experience from which common solutions can emerge.
3. **Workforce Development:** Cultural change is an outcome of change at all levels of the organization. It is important to provide the workforce varied platforms offering opportunities to learn, explore and express. Employees need the tools and education that allow them to grow.
4. **Partnerships:** The County takes a position of humility around this work. We don't have and won't have all the answers. We are willing to listen and learn from others. We will continue to convene private and public sector partners for information and resource sharing. We will work with subject matter experts that will guide and mentor us.

The County is willing to be held accountable to meeting the expectations presented. We will continue to present the Board with progress along this journey.

#### **Timeframe and Budget**

The expectation is that Phases I through IV will be completed by 2022. The total cost of the framework is approximately \$135,000.

Phase I: Nov, '20 to March '21

Phase II: April to June '21

Phase III: July to Dec '21

Phase IV: Jan to Jun'22